



Comptroller General  
of the United States

Washington, D.C. 20548

## Decision

**Matter of:** Quality Roofers & Guttering, Inc.

**File:** B-244660

**Date:** July 10, 1991

Hugh S. Lanier for the protester.

Catherine M. Evans, Esq., Office of the General Counsel, GAO, participated in the preparation of the decision.

### **DIGEST**

Failure of bid to include signed certificate of procurement integrity is a material deficiency in the bid requiring that it be rejected as nonresponsive; argument that certificate was not required because guaranteed minimum amount under indefinite quantity contract was less than \$100,000 is without merit where protester's bid was for more than \$100,000.

### **DECISION**

Quality Roofers & Guttering, Inc. protests the rejection of its bid under invitation for bids (IFB) No. N62470-91-D-7449, issued by the Department of the Navy for indefinite quantity roof repairs at two Marine Corps installations. The agency determined Quality's bid nonresponsive for failure to include a signed certificate of procurement integrity.

We dismiss the protest.

The IFB contained the certificate of procurement integrity at Federal Acquisition Regulation (FAR) § 52.203-8, required by the Office of Federal Procurement Policy (OFPP) Act, 41 U.S.C.A. § 423(e)(1) (West Supp. 1990). Quality's bid did not include the certificate. On June 27, 1991, Quality was notified that its bid had been rejected as nonresponsive for that reason. Quality asserts that the rejection was improper because the requirement that a bidder submit a signed certificate with its bid does not apply to indefinite delivery contracts unless the total estimated value of orders eventually to be placed under the contract is expected to exceed \$100,000, and the IFB here guaranteed only \$50,000 of work.

Quality's argument is without merit. Its own bid of \$547,835, apparently based on the Navy's estimated requirements, establishes that the total value of delivery orders expected to be placed under the contract exceeds \$100,000, and that a signed

certificate of procurement integrity is therefore required. A bidder's failure to complete the certificate is a material bid deficiency requiring that the bid be rejected as nonresponsive. Mid-East Contractors, Inc., B-242435, Mar. 29, 1991, 70 Comp. Gen. \_\_\_, 91-1 CPD ¶ 342. Since Quality's bid did not contain the required certificate, the Navy properly rejected the bid as nonresponsive. See id.; FAR § 14.404-2(m).

The protest is dismissed.

  
John M. Melody  
Assistant General Counsel